

Message

From: Purnell, Rhonda [Purnell.rhonda@epa.gov]
Sent: 11/12/2020 5:56:42 PM
To: Fields, Jenifer [fields.jenifer@epa.gov]; Servidio, Cosmo [Servidio.Cosmo@epa.gov]
CC: Esher, Diana [Esher.Diana@epa.gov]
Subject: ACTION: Administrators Report Is due today

Hi, Please let me know which Salients should be included in this week Administrators Report. Thx, rp

From: Purnell, Rhonda
Sent: Tuesday, November 10, 2020 3:29 PM
To: Fields, Jenifer (fields.jenifer@epa.gov) <fields.jenifer@epa.gov>; Servidio, Cosmo (servidio.cosmo@epa.gov) <servidio.cosmo@epa.gov>
Cc: Esher, Diana <Esher.Diana@epa.gov>; Rose, Kenneth <Rose.Kenneth@epa.gov>; Bain, Andrea <Bain.Andrea@epa.gov>
Subject: Salients for your review - Wk 11/10/20

Please review the file and forward appropriate issues for this week Administrators Report.

File located on the <L:\Share\Salients\Salients FY2021\Salients 11-10-20.docx>

Region 3 Salients for 11/10/2020
Salient Issues
for Regional Administrator and Deputy Regional Administrator

Land, Chemicals, and Redevelopment Division

Region 3 P2 Collaborates with SRA Grantee on Food Manufacturing Food and Packaging Waste - Last week, Region 3 Pollution Prevention (P2) personnel facilitated a discussion between Paul W. Scanlon, P.E., Director of Sustainability at Slippery Rock University (SRU), Christine Glenn, Sustainable Systems Educator at SRU, Bill Chirdon, Director of Food Safety at Kunzler and Steve Lehman, President of Green n' Grow Compost. SRU is a new Source Reduction Assistance (SRA) grantee in the Region 3 Pollution Prevention (P2) Program. SRU is interested in Green n'Grow's technology for composting food waste and packaging material. Christine Glenn, who is helping with the EPA grant, worked for several years at the Pittsburgh Resource Council focusing on large scale composting programs. Paul Scanlon is the co-chair of the Pennsylvania State System of Higher Education (PASSHE) Sustainable Development Task Force made up of 14 colleges and includes soil scientists. SRU and/or the task force may be able to offer technical expertise to analyze the waste streams of food manufacturing plants to discover their effectiveness as soil amendments. SRU has 83 acres at their Macoskey Center where they can demonstrate composting techniques. Kunzler continues to assist in the search for food and packaging compost solutions. **(Peter Piergiovanni, 4-3442)**

Brownfields Cleanup Grant Will Not Be Awarded in Southwest Virginia - After consultation with the Region 3 legal staff and the programmatic and legal staff at EPA HQ, it has been determined that the Saltville Industrial Development Authority (SIDA) Brownfield Cleanup Grant will not be awarded due to the applicant not following appropriate processes to successfully submit a proposal to EPA for consideration. While this threshold issue should have been identified earlier in the evaluation cycle, it was concluded by the Office of Brownfields and Land Revitalization (OBLR) that the Town of Saltville, who submitted the proposal on behalf of SIDA to EPA, did not have proper authority from SIDA. Moreover, it was determined that there may have

been an affiliation relationship between the Town of Saltville and SIDA which may result in SIDA being a potential responsible party and consequently ineligible to receive a grant from EPA. Region 3 has communicated the determination to SIDA and to their legal representation and SIDA will not be disputing the EPA decision. SIDA may also provide additional information to EPA for consideration in a future grant cycle in order to alleviate EPA's concern regarding the potential affiliation relationship with the Town of Saltville. However, SIDA has chosen not to apply during the current FY21 funding cycle. **(Mike Taurino, 4-3371)**

Upcoming Events

November 10-12, 2020	Virginia State Brownfields Conference (virtual) Attendees – John Armstead, Susan Spielberger
November 16-17, 2020	Pre-SFIREG (virtual) Attendees – Fatima El Abdaoui, Beth Garcia, Stacie Driscoll
November 17, 2020:	Brownfield Development and Your Community Workshop for Members of the Metropolitan Washington Council of Governments (MWCOG) Attendees: Tish Corbett; Susan Spielberger
November 17-18, 2020	OCSPP/RDD (virtual) Philadelphia, PA Attendees – John Armstead, Stacie Driscoll, Fatima El Abdaoui, Beth Garcia
November 19, 2020:	Brownfields Basics Webinar (virtual) hosted with MDE, MDP and NJIT Attendees: Susan Spielberger, Noelle Watanabe, Tish Corbett Amanda Kasper, Senior Advisor to the Administrator and Angela Hackel, Senior Advisor in the Office of Public Affairs, expressed interest in attending.

Regional Counsel Division

U.S., PA, and WV Settle with Koppers Inc. Over Alleged CWA Violations at Three Facilities (Civ. No. 5:20-Cv-236, N.D. West Virginia) On November 2, 2020, on behalf of the EPA, the Commonwealth of Pennsylvania and the State of West Virginia, the Department of Justice filed a complaint, concurrently with a proposed consent decree, which resolves alleged violations of the federal CWA, SPCC and FRP regulations, as well as violations of Pennsylvania and West Virginia oil storage regulations at three Koppers Inc. facilities. The Koppers facilities are located in Clairton, Pennsylvania; and Green Spring and Follansbee, West Virginia. Under the proposed consent decree, Koppers will pay \$800,000 to the United States, \$175,000 to West Virginia, and \$24,500 to Pennsylvania. The proposed consent decree also contains limited injunctive relief with respect to the Follansbee facility; the Clairton and Green Spring facilities are now closed as part of a Koppers' plan to consolidate its operations. The proposed consent decree is subject to a 30-day public comment period. **Primary Contact: Daniel Isales, (410) 305-3016, Additional Contact: Rachel Simkins, (215) 814-3277**

Parties file Joint Motion to Consolidate Cases in Chesapeake Bay Litigation: CBF et al v. Wheeler et al., Civil No. 1:20-cv-02529 (D.D.C.); Maryland et al. v. Wheeler et. al, Civil No. 1:20-cv-02530 (D.D.C.) On November 2, 2020, the United States and plaintiffs in two federal lawsuits relating to the Chesapeake Bay cleanup filed a joint motion to consolidate these cases, since both involve challenges to the same alleged actions and inactions by Defendants and concern common questions of fact and law. On September 10, 2020, the two lawsuits were filed against EPA, alleging that the Agency violated the CWA and/or made arbitrary or capricious decisions regarding oversight and implementation of Chesapeake Bay restoration efforts. The first lawsuit was filed by Chesapeake Bay Foundation, Inc., Maryland Watermen's Association, and their respective members, along with Robert Whitescarver, Jeanne Hoffman, and Anne Arundel County, Maryland (CBF Case). The second lawsuit was filed by the states of Maryland and Delaware, the Commonwealth of Virginia, and the

District of Columbia. Both cases broadly allege that: (1) EPA violated the CWA for failing to ensure that Pennsylvania and New York's management plans (Phase III WIPs) were developed to achieve and maintain the nutrient goals of the Chesapeake Bay Agreement (i.e. by 2025, all practices and controls are installed to meet the Chesapeake Bay TMDL); and/or (2) alleging that EPA's actions on PA and NY's Phase III WIPs were arbitrary or capricious under the APA. EPA continues to work with the Department of Justice on the next deadline to respond to the litigation by November 20, 2020 with an Answer or other dispositive motion. **Primary Contacts: Chris Day, (215) 814-2481, Kelly Gable, (215) 814-247, Additional Contacts: R2 ORC Attorney: Kim Kramer, (212) 637-3238, OGC Attorney, Alec Mullee, (202) 564-9616**

Court Refers EPA Motion for Reconsideration to Magistrate Judge: *Telford Borough Authority v. EPA*, Civil No. 2:12-cv-06548-CDJ (E.D. Pa) (Indian Creek Nutrient TMDL litigation). On November 5, 2020, the federal district court referred to a Magistrate Judge the government's motion for reconsideration regarding a ruling on EPA's Motion to Strike several counts of Plaintiff's Amended Complaint. On February 7, 2020, the court denied in part and granted in part the Motion of Defendant EPA opposing the filing by Telford Borough Authority (Plaintiff) of an Amended Complaint including seventeen claims. The government filed a Motion opposing eight of the seventeen counts in Telford's proposed Amended Complaint on the basis that each failed to state a claim and warranted dismissal. The court granted this motion on two of the eight counts, and further ruled that the government may substantively defend against these claims at a later date (e.g., by filing Motions to Dismiss). The government filed its Motion for Reconsideration on two counts that rely on Plaintiff's use of settlement proposals to "prove or disprove the validity...of a disputed claim." EPA established TMDLs for nutrients and sediment addressing aquatic life impairment of the Indian Creek Watershed in Southeast Pennsylvania on June 30, 2008. In November 20, 2012, Telford Borough Authority filed the second challenge to the Indian Creek nutrient TMDL (*Telford*). In a related case filed on October 18, 2011, Plaintiffs Lower Salford Township Authority *et al.* challenged both nutrient and sediment TMDLs for Indian Creek. See *Lower Salford Township Authority et al. v. EPA*, Civil Action No. 2:11-cv-06489-CDJ (E.D.PA). EPA and Lower Salford continue to discuss possible settlement of their claims. **Primary Contact: Christopher A. Day, (215) 814-2481**

Upcoming Meetings:

November 12. State Law Office Meeting. Regional Counsel Cecil Rodrigues is hosting the annual meeting of senior attorneys from the law offices of all of the Region 3 jurisdictions (both environmental agencies and attorney general offices). Potential discussion topics include COVID 19 challenges (including onboarding employees virtually), TMDL litigation, mass tort suits by states, defending depositions, and CWA permit issues. **Primary Contact: Cecil Rodrigues, (215) 814-2683**

December 9: 6th Annual Benjamin D. Fields Memorial Lecture on the Administrative Enforcement of Environmental Laws. ORC is hosting this annual lecture series, which this year will be part of Region 3's celebration of EPA's 50th anniversary. The "Ben Fields Lecture" will feature a panel discussion on the past and future of EPA's Offices of Regional Counsel. Panelists include five Regional Counsel, from Regions 1 (Carl Dierker), 3 (Cecil Rodrigues), 5 (Rhett Nelson), 9 (Sylvia Quast), and 10 (Beverly Li). **Primary Contact: William Smith, (215) 814-2690**

Upcoming Decisions:

None

Chesapeake Bay Program Office

General:

CBPO Director to Chair Management Board Meeting – The Chesapeake Bay Program's Management Board will meet on Thursday, November 12 to conduct a quarterly progress review of the Climate Change and

Resiliency cohort outcomes, including the wetlands, black duck, climate adaptation, and climate monitoring and assessment. Meeting materials are posted at:

https://www.chesapeakebay.net/what/event/management_board_quarterly_progress_meeting_november_2020
and <https://www.chesapeakebay.net/decisions/document-status> **Greg Barranco, 410-267-5778**

Date Set for Principals' Staff Committee Meeting – The Chesapeake Bay Program Principals' Staff Committee (PSC) will meet virtually on December 17 from 1-5 p.m. to consider a variety of issues, including policy related to climate change. The PSC is also expected to discuss the Diversity, Equity, Inclusion and Justice community advisory board and implementation, as well as progress on the Conowingo Watershed Implementation Plan and related financial strategy. **Carin Bisland, 410-267-5732**

CBPO Calendar Items:

Nov. 5-6 Chesapeake Bay Commission quarterly meeting
Nov. 12 Management Board quarterly progress meeting
Nov. 16 Habitat Goal Team Fall 2020 meeting
Dec. 3 Conowingo WIP Steering Committee meeting
Dec. 3-4 Local Government Advisory Committee webinar
Dec. 3-4 Citizens Advisory Committee quarterly meeting
Dec. 10 Management Board meeting
Dec. 14-15 STAC quarterly meeting
Dec. 17 Principals' Staff Committee meeting

Air & Radiation Division

PARTNERSHIP PROGRAMS & GRANTS BRANCH

VADEQ and AMS Receive Community-Scale Air Toxics Ambient Monitoring Grant in Region 3

Virginia Department of Environmental Quality (VADEQ) and the City of Philadelphia's Air Management Services (AMS) received grant funding for Region 3's Community-Scale Air Toxics Ambient Monitoring (CSATAM) grant. The CSATAM grant provides funding for air toxics monitoring projects to help state, local and tribal air agencies conduct air quality monitoring projects to address localized air toxics issues. VADEQ received \$526,603 in funding for a project related to characterizing the ambient concentrations of air toxics metals and perform corresponding air quality and health risk assessments for two Tidewater communities in Norfolk and Newport News, Virginia. AMS received \$352,208 in funding on a project related to assessing the degree and extent to which air toxics from various sources, including a major oil refinery and other air toxics sources, impact the immediate community in the City of Philadelphia. For more information, visit www.epa.gov/grants/community-scale-air-toxics-ambient-monitoring-closed-announcement-fy-2020 . **Contact:** AJ McCullough, 215-814-2093.

It is Radiation Protection Professionals Week.

November 8th-14th has been proclaimed National Radiation Protection Professionals Week by the Conference of Radiation Control Program Directors, the national organization comprised of state radiation control program directors. Radiation protection professionals work with government, industry, medical, and other entities to serve as sources of information on radiation exposure. They also provide expertise to national and international communities regarding prevention of, responses to, and recovery from radiation accidents. In EPA Region 3, these professionals assist remedial project managers, on-scene coordinators, public affairs officers and the public better understand the risks associated with radiation exposure and help decision makers manage radiation risk at cleanup sites. They help train employees in radiation safety, inspect x-ray machines in EPA offices, assist in evaluations of local government nuclear accident preparedness, and help EPA maintain a national ambient air radiation network. There are more than a dozen active Superfund cleanups where radiation hazards are being mitigated, ten RadNet air monitoring stations and fourteen nuclear reactors in our region.

Contacts: Marcos Aquino, 215-814-3422, Cristina Schulingkamp, 215-814-2086

PLANNING & IMPLEMENTATION BRANCH

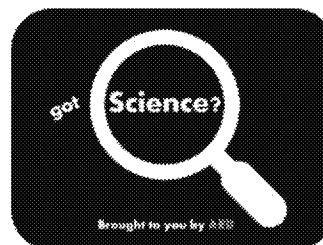
Pennsylvania Air Plan Approvals for Meeting Ozone Standards

With two final rulemakings (FRN), EPA approved Pennsylvania's plans to continue to maintain the 1997 ozone national ambient air quality standard (NAAQS) for the Harrisburg-Lebanon-Carlisle area and the Johnstown area. Pennsylvania submitted these second maintenance plans on February 27, 2020. EPA redesignation of the areas from nonattainment to attainment for the 1997 ozone NAAQS was effective on July 25, 2007. **Contact:** Ramesh Mahadevan 215-814-2237

AIR QUALITY ANALYSIS BRANCH

ARD Launches *Got Science?*

On November 3rd, ARD Division Director Cristina Fernandez sent out announcement introducing *Got Science?* to ARD. *Got Science?* will ARD's new Science Engagement Strategy, enhancing employees' knowledge in an engaging approach. Comprised of representatives branch, *Got Science?* will provide diverse opportunities for ARD to engage with colleagues in timely discussions of scientific topics. employees can look forward to webinars of interest to ARD work, timely presentations, discussions, field trips, and a dynamic journal club. ARD can expect an invitation this month to the inaugural *Got Science?* event. **Contacts:** Verena Joerger (215) 814-2218 and Carol Ann Gross-Davis (215) 814-5738



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Upcoming Decisions:

Upcoming Decision: Negative Declarations Certification for the 2008 Ozone NAAQS including the 2016 Oil and Natural Gas CTG

In this final rulemaking notice (FRN), EPA is approving of a portion of state implementation plan (SIP) revision submitted by Virginia. This revision pertains to the Control Technique Guidelines (CTGs) for which Northern Virginia does not have any applicable sources, and therefore is certifying negative declarations for those CTGs as required by Reasonably Available Control Technology (RACT) requirements for the 2008 ozone National Ambient Air Quality Standard (NAAQS). **Contact:** Erin Trouba; 215-814-2023.

Approval and Promulgation of Air Quality Implementation Plans; Delaware; Amendments to Control of Volatile Organic Compounds Mobile Equipment Repair and Refinishing Rule Regulation.

In this notice of proposed rulemaking, EPA is proposing to approve amendments to Delaware's Mobile Equipment Repair and Refinishing regulations to incorporate the Ozone Transport Commission's 2009 Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations regulations (MVMERR) model rule. The MVMERR rule establishes updated volatile organic compounds content limits for coating and cleaning solvents used in vehicle refinishing and standards for coating application, work practices, monitoring, and recordkeeping. Delaware submitted this state implementation plan revision on May 6, 2020. **Contact:** Ramesh Mahadevan, 215-814-2237.

Upcoming Calendar Events:

November 17-18

Ozone Transport Commission Annual Meeting – Virtual Meeting, Region 3 will attend

EPA Region 3 Awards Grant to the Virginia Department of Health (VADOH) for Lead Testing in Drinking Water at Schools and Child Care Facilities – On November 4, 2020, Region 3 awarded a \$422,000 grant to the VADOH program for lead testing in drinking water in schools and child care facilities. Funding was provided by Section 2107 the Water Infrastructure Improvement for the Nation Act (WIIN). VADOH will use these FY2020 funds to continue implementing its drinking water testing in 132 school districts which includes 1,852 schools which educate approximately 1.3 million students. The testing program also includes an estimated 5,500 facilities who provide care for approximately 370,000 children. In addition to testing, the program includes outreach to the school and child care communities regarding information about the testing results and how to reduce lead levels in drinking water. VADOH was previously awarded \$737,000 for FY2018-2019; the new award increases the total funding to \$1,159,000. **(George Rizzo 215-814-5781)**

EPA Receives Letter from DC Stakeholders Concerning Bacteria TMDLs – On October 27, 2020, Plaintiffs for the DC bacteria TMDLs litigation (Anacostia Riverkeeper and Potomac Riverkeeper Network), their counsel, Earthjustice, and five other stakeholders submitted a letter to EPA and DC Department of Energy and Environment (DOEE) expressing concern over DOEE's proposed path forward for its bacteria TMDLs. Specifically, the organizations raised concern over the presumed lack of stakeholder involvement in the process. This letter comes after EPA, DOEE, and the Department of Justice (DOJ) met once with Plaintiffs' counsel on September 28, 2020 and once with Plaintiffs and their counsel on October 6, 2020, to discuss the path forward. At these meetings, DOEE described its efforts over the last year to revise the bacteria TMDLs and their proposed path forward which includes several major activities that will be memorialized in a Memorandum of Understanding between EPA and DOEE. All major activities taken by DOEE will be subject to public notice and comment, providing opportunity for stakeholder involvement. EPA is currently discussing next steps with its Regional Counsel. **(Raffaella Marano 215-814-2397)**

Region 3's NPDES Permits Section Provides Comments on the Shamokin Coal Combined Sewer Overflow (CSO) Permit in Pennsylvania – On November 3, 2020, the NPDES Permits Section submitted comments on Pennsylvania's first CSO permit submitted to EPA for formal review. This is a major milestone achieved for the Pennsylvania Department of Environmental Protection (PADEP) since EPA and PADEP agreed to do this in their CSO permit strategy. The comments that EPA provided to the state were discussed ahead of time and focused on Whole Effluent Toxicity (WET) testing. EPA's comments also included language that documents the agreement between EPA and PADEP as they implement their CSO strategy. We expect that the state will revise the permit to address EPA's comments; no timeframe has been provided by the state on this action item. **(Dana Hales 215-814-2928)**

EPA and Pennsylvania Department of Environmental Protection (PADEP) Complete Virtual Watershed Tour and Annual Review of Pennsylvania's Nonpoint Source (NPS) Program – As per the terms and conditions of receiving a grant award under Section 319 of the Clean Water Act, the PADEP and EPA completed an annual review of Pennsylvania's NPS Program. The annual program review occurred virtually this year and consisted of multiple meetings occurring over the course of the last two months. On August 17, 2020, PADEP and EPA completed virtual watershed and project site tours of the Conowingo and Mill Creek watersheds in Lancaster County, and followed up with two subsequent meetings on September 30 and October 27 to discuss the program's schedule, successes, and challenges during FY2020. In an effort to build upon past successes and to further strengthen the program, the annual review also focused on continued communication and cooperation between the two agencies. The annual review also included a discussion of the schedule of milestones, potential program highlights and success stories, and a status review and report on a select group of Pennsylvania's priority watersheds moving into FY2021. **(Steve Hohman 215-814-2739)**

State Drinking Water Laboratories hold Roundtable Discussion – On November 5, 2020, the state drinking water laboratories and program staff met with regional laboratory and drinking water staff to discuss coordination and communications during emergency response events. These discussions allow for increased

awareness of roles, capabilities of others and how to reach out to others for assistance. Various scenarios were used to spark discussion. Lessons learned from COVID were also shared. **(Patti Kay Wisniewski 215-814-5668)**

EPA Region 3 to Host Community Water System Tabletop Exercise Facilitator Training – On November 18-19, 2020, EPA Region 3 in partnership with EPA HQ, will host a community water system tabletop training for facilitators. The training was created in response to the Section 2013 America’s Water Infrastructure Act (AWIA) requirements. It is open to EPA drinking water staff, source water staff, and the regional support corps water support team. Other EPA Regions and our state partners on both the drinking water and source water side are invited and already expressed interest in attending. The goal of the 8-hour training is to provide each person with the knowledge and understanding of Sections 2013 and 2018 AWIA requirements and how to facilitate a tabletop exercise for community water systems interested in practicing their response to a mock emergency situation. **(Renee Bryant 215-814-2137)**

UPCOMING MEETINGS:

11/10/20: **Virginia Deputy Secretary of Natural Resources Task Force (Ag)**
Kelly Shenk 410-267-5728

11/12-13/20: **Administrator’s Farm, Ranch, and Rural Communities Committee**
National virtual meeting
Kelly Shenk 410-267-5728

11/17/20: **R3 Source Water COVID Webinar**
1:00 – 2:00 p.m.
Renee Bryant 215-814-2137

11/17/20: **PA Wastewater Exam Prep Course**
(Sponsored by Pennsylvania Rural Water Association)
State College, PA
Walter Higgins 215-814-5476

12/7-9/20: **National Water Division Directors virtual meeting**
Cathy Libertz 215-814-2737

UPCOMING DECISIONS: None

Superfund Emergency Management Division

Link to SEMD salient database search: <http://r3web2.r03.epa.gov/hscd//index.cfm>

View: Calendar of Activities

Norwood Landfill Expanded Site Inspection, Phase 2 – On Tuesday November 10th, the Site Assessment Section will be initiating the second phase of an Expanded Site Inspection (“ESI”) of the Norwood Landfill site in Norwood Borough, Delaware County, PA. This phase of the investigation will focus on the collection of surface, shallow sub-surface, and deep soil samples on private residential property. Sixty-eight homes will be sampled over the course of 7 days between November 10th and November 19th. Thirty-four homes will have shallow sub-surface soil samples collected in addition to surface samples, and fourteen homes are selected for deep (8’-10’ bgs) in addition to the other depths. The purpose of these samples are to: 1) collect data required for evaluating the Soil Exposure Pathway of the Hazard Ranking System, and 2) to help determine whether contaminated soil was used to bring the Winona Homes neighborhood to grade when constructing homes in the late 1950’s. This phase is a more comprehensive assessment of the residential soil across a larger geographic area of Lower Norwood than what EPA evaluated in a September 2018 Site Inspection. **(J. Vitello, 4-3354).**

Paden City Groundwater Plume - EPA continues the Phase 2 Site Inspection. The Phase 2 sampling event includes installation of monitoring wells and soil sampling. EPA will conduct a vapor intrusion (VI) assessment at 2 nearby schools and one residential property from November 9th-12th. Soil, groundwater and vapor intrusion samples will be collected to determine if risks are presently emanating from the three dry-cleaning facilities. The sampling activities of all 20 wells were completed during the week of October 5th. A fact sheet for the VI activities was sent on August 20th with information about the Phase 2 SI and VI activities. Community members continue to contact the site team with questions and concerns about health issues, drinking water, and air quality. Drinking water questions are being referred to the WVDHHR Bureau of Public Health. The SAM spoke with the wastewater manager for the City and informed the SAM that no sewer activities will occur immediately surrounding Bandbox Cleaner at this time and consequently will not affect the planned SI investigation and EPA removal response will not be needed regarding any soil disturbances surrounding the facility. **(C O'Loughlin, 4-3304)**

Action Memo signed for Dover Air Force Base, DE - The Air Force signed an Action Memo on November 3, 2020 in response to the discovery of perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) in 7 private drinking water wells near Dover Air Force Base (DAFB). DAFB has installed point-of-entry treatment (POET) systems on 5 of the affected wells and plans to install a POET system on another well by early 2021. The remaining affected well is near an existing water main and will be connected to the line by early 2021. The Air Force is working with local authorities to extend the water main so that ultimately all the properties with POET systems can be hooked up to municipal water. This action memo achieves the Federal Facilities Section decision documents mission metrics for November. **(S. Haug 4-3394)**

Remedial Action Completion Reports Signed, Letterkenny Army Depot, Chambersburg, Pennsylvania - On November 3, 2020, EPA signed two Remedial Action Completion Reports (RACRs) for Letterkenny Army Depot. Both document the implementation of on-base Land Use Controls (LUCs). LUCs at Operable Unit (OU) 34 restrict land use to industrial/commercial use due to vapor intrusion from contaminated groundwater. LUCs at OU 5 restrict land use to industrial storage. OU 5 includes a landfill, spill area and burn pit. The OU 5 remedy also requires a soil cover with a soil amendment to reduce dioxin uptake. A separate RACR will be prepared for those components when they are complete. The two RACRs meet the Federal Facilities Section RACR mission metrics for November. **(S. Haug, 4-3394)**

New R3 Sustainability Advisors – Working with SEMD, the Regional Incident Coordination Team (RICT) recruited four new EPA staff volunteers for the R3 Sustainability Advisor Cadre. The new cadre members are Garth Connor, ECAD, Walter Higgins, WD, Barbara Rudnick, OCTEA, and Noelle Watanabe, LCRD. They join current Sustainability Advisors David Iacono, LCRD, Matt Konfirst, WD and Katie Matta, SEMD. Sustainability Advisors support FEMA, states and communities during disaster recovery by promoting and providing guidance on sustainable, resilient and climate adaptive planning, restoration, and rebuilding from disaster. The Sustainability Advisor is a voluntary position under the R3 Response Support Corps for temporary deployment with the FEMA Disaster Recovery Coordination Team. The position was first proposed by EPA Region III in our 2015 Disaster Recovery Support Plan. It was adopted by FEMA III and has subsequently been adopted by EPA and FEMA nationally and is a recognized position written into FEMA national plans. EPA Sustainability Advisors supported at least 8 disasters since 2015 including West Virginia in 2017 to, most recently, the Oregon Wildfires. **(Bill Steuteville 4-3264)**

Revised Region 3 Disaster Support Plan – The R3 Regional Incident Coordination Team (RICT) formally approved the Revised R3 Disaster Support Plan on 10/30/20. The plan addresses how R3 will support disaster mitigation, response and recovery in support of FEMA, R3 states and communities. The plan was revised by the R3 Disaster Support Work Group representing all R3 Divisions and Offices to address lessons learned and national EPA and FEMA disaster planning changes since 2015. The plan addresses cross-program disaster planning, staffing, and management, and identifies EPA resources that may be used to support impacted communities. Below is a link to a pdf of the plan. **(Bill Steuteville 4-3264)**

Events: None

Office of Public Affairs

Delaware

Election Update - Incumbents Win in Delaware – Governor John Carney, Senator Chris Coons, and Representative Lisa Blunt-Rochester were all re-elected. (Kyle Zieba, 4-5420)

Pennsylvania

RGGI Initiative to Get Public Hearings - PADEP plans to hold ten virtual public hearings on a proposed rule that would have Pennsylvania join a regional effort to curb greenhouse gas emissions. It's the next step in a long process for joining the Regional Greenhouse Gas Initiative (RGGI), which has been a topic of hot debate at the state capitol. Through an executive order, Democratic Governor Tom Wolf directed the Department of Environmental Protection to join RGGI by regulation. Republicans who control the state legislature have tried to stop it, claiming RGGI will harm the state's fossil fuel economy—especially in coal-dependent areas. A DEP spokesman said they scheduled ten virtual hearings to accommodate the high level of public interest in the rule. Hearings are slated from December 8-14, with sessions scheduled for the morning, afternoon, and evening. People can also submit written comments until January 14th, 2021 by using DEP's [eComment](#), emailing RegComments@pa.gov, or mailing to: Environmental Quality Board, P.O. Box 8477, Harrisburg, Pa., 17105-8477. (Mark Ferrell, 304/542-0231)

Election Update - All 18 Incumbent Members of the House of Representatives from Pennsylvania Re-elected - With 99% of precincts reporting, all 18 members of Pennsylvania's House of Representatives have been re-elected. Here's the list by District (D):

- D1 - Brian Fitzpatrick
- D2 - Brendan Boyle
- D3 - Dwight Evans
- D4 - Madeleine Dean
- D5 - Mary Gay Scanlon
- D6 - Chrissy Houlahan
- D7 - Susan Wild
- D8 - Matt Cartwright
- D9 - Dan Meuser
- D10 - Scott Perry
- D11 - Lloyd Smucker
- D12 - Fred Keller

D13 - John Joyce
D14 - Guy Reschenthaler
D15 - Glenn Thompson
D16 - Mike Kelly
D17 - Conor Lamb
D18 - Mike Doyle

The 117th Congress will convene January 3, 2021 to January 3, 2023 (Kyle Zieba, 4-5420)

Maryland

Election Update - All 8 Incumbent Members of the House of Representatives from Maryland Re-elected - All 8 members of Maryland's congressional delegation have been re-elected. Here's the list by District (D):

D1 - Andy Harris
D2 - Dutch Ruppersberger
D3 - John Sarbanes
D4 - Anthony Brown
D5 - Steny Hoyer
D6 - David Trone
D7 - Kweisi Mfume
D8 - Jaime Raskin

The 117th Congress will convene January 3, 2021 to January 3, 2023. (Kyle Zieba, 4-5420)

Virginia

Long delayed Wind Permit Granted - VADEQ has granted a permit to Apex Clean Energy, which plans to build up to 22 turbines as tall as 680 feet on a remote ridgeline. When completed, Rocky Forge Wind will produce enough electricity to power up to 21,000 homes at peak capacity. The 75-megawatt facility will convert wind to electricity and sell it to Dominion Energy, which has a contract to provide renewable energy to Virginia's state government.

(Mark Ferrell, 304/542-0231)

West Virginia

Senator Capito (R-WV) Will Top Environment & Public Works Committee - West Virginia Republican Senator Shelley Moore Capito is in line to take the top Republican spot. Senator John Barrasso (R-Wyo.), the current environment committee chairman, is likely to move to the top Republican spot on the Senate Energy and Natural Resources Committee. Capito was elected in 2014 and is the first West Virginian Republican senator in nearly 60 years. She has railed against what she termed "job-killing" environmental rules, but joined Democrats in calling for more stringent regulation of per- and polyfluoroalkyl substances (PFAS), so-called "forever" chemicals used in consumer products that have contaminated U.S. water supplies. She vowed to push the EPA to speed up the agency's efforts to set limits for the contaminants in drinking water. "I personally am going to hold EPA's feet to the fire until they do a protective standard," Capito said in an interview. "I don't think we

can wait five years to find out what this is doing to our water. I'm going to be on EPA's heels on this—and I don't think I'll be alone in that.” (Mark Ferrell, 304/542-0231)

COMMUNICATIONS BRANCH

Customer Service Helpline Activity – During the past week, callers contacted the region about a variety of issues: sewer gas , herbicide application, swimming pool discharge, the burning of trash containing plastics, poor fuel efficiency, Radon mitigation, and mold. Business owners contacted us about the following: obtaining a hazardous waste permit for a Pennsylvania site, using disinfectants for a school, N-list of disinfectants, and EPA Lead Safe certification. (Ginny Davis, 4-2149)

I. Internal

R3Announce updates – Region 3 Reconstitution Site; Region 3 Idea Box; Region 3 On the Move Newsletter; CFC Campaign; FedBenefits Open Season: November 9 through December 1w4, 2020; Red Cross Blood Drives; Regional Science Council: Your Health in a Changing Climate, 17 Nov; Then & Now Series; Did You Know series

II. External

Executive Events

NSTR

Future

9 Nov	Delaware Estuary Program Steering Committee Meeting (virtual)
10 Nov	Chesapeake Bay Commission 40 th Anniversary Webinar (virtual)
17-18 Nov	2020 Oil & Natural Gas Stakeholders Roundtable (virtual)
9 Dec	R3 50th Anniversary Celebration (virtual)

Media Relations

CLOSED

3 Nov Gannett: State inspections of water towers in Pennsylvania

30 Oct WTOV News 9: NCAIR removal site

OPEN

27 Oct ABC13: First Piedmont NPL delisting

Press Events

NSTR

Press Releases/Advisories

5 Nov EPA awards \$2.2 million to Maryland to control polluted runoff, restore water quality

5 Nov EPA awards \$287,000 to Virginia to support wetlands restoration projects

5 Nov U.S. EPA Recognizes Freight Industry Leaders for Environmental Performance
(SmartWay Excellence Awards: Armada, D.M. Bowman, Inc., Penske Logistics)

5 Nov EPA Announces \$1.16 Million in Grants to Support Innovative Approaches to
Source Reduction; *Delaware State University, Slippery Rock University, Northampton Community College among grantees*

Future:

- Nov. 9: Nearing Full Implementation, EPA's Lean Management System Delivers Results

- Section 319 CW funding – DC, PA, DE (left to do)
- TBD: EPA Region 3 Awards Grant to the Virginia Department of Health (VADOH) for Testing for Lead in Drinking Water in Schools and Child Care Facilities
- Regional Administrator Signs Proposed Consent Decree to Settle Cost Recovery Action at Governor Bacon Health Center Superfund Site (pending ORC review)
- EPA approves Consent Decree modification For Hampton Roads Sanitation District enforcement PR (pending; mtg 11/10)
- EPA settlement with Arkema, Inc., in CAA violation – completed and approved (waiting for actions against company)
- Koppers Inc. agrees to \$999,500 in penalties for alleged violations of oil spill prevention safeguards in W. Va., Pa. (draft complete)
- Bloom Energy Corp RCRA violations enforcement release – ON HOLD

Future media/press interest

- Continued EPA announcements ahead of the 2020 election
- Continued interest in tri-state lawsuit against EPA re: Chesapeake Bay 2025 TMDL milestones
- Continued interest in Paden City drinking water issues
- Norwood Landfill Expanded Site Inspection, Phase 2
- Interest in current administration's de-regulatory push

III. Social Media

Facebook/Twitter

November:

November 2, 2020 #DYK... List N is @EPA's registry of disinfectants that kill the coronavirus SARS-CoV-2. Help fight the spread of #COVID19 and check List N: www.epa.gov/ListNTool @CDCgov #coronavirus

November 5, 2020 We know you love news related to @EPAREGION3 but are you also interested in hearing the latest on chemicals or pesticides? If so, check out @EPACHEMSAFETY to learn how we are advancing chemical safety and info. on upcoming webinars, trainings, meetings, and more!

November 6, 2020 #DYK @EPAREGION3 partners with Mid-Atlantic states to enforce regulations to protect water quality. We do this by collaborating on inspections and enforcement actions, providing assistance with sampling, and more #EPAat50

Future:

November 9, 2020 #DYK @EPAregion3 enforces Underground Storage Tank regulations to prevent petroleum and other hazardous substances from seeping into the ground, which can contaminate drinking water and pose a risk of fire and explosion. #EPAat50

November 10, 2020 Wondering if a product kills the novel coronavirus? Always check List N to make sure it meets @EPA criteria to help fight the spread of #COVID19. www.epa.gov/ListNTool @CDCgov #coronavirus

November 11, 2020 Veterans Day - Retweet HQ post

November 12, 2020 Here's a smart way to cleaner air! @EPARegion3 honors Mid-Atlantic SmartWay Excellence Awardees @DM_BowmanInc, @ArmadaChain and @PenskeLogistics for making greener, more efficient freight a priority, reducing air pollution. Learn more: www.epa.gov/smartway #EPASmartWay

November 13, 2020 @EPARegion3 protects the environment & public health by ensuring compliance with environmental laws, resulting in reduction, elimination or prevented the release of over 2 million pounds hazardous air emissions and water pollution in the Mid-Atlantic region this year #EPAat50

November 16, 2020 #DYK @EPA enforces environmental law by ensuring wetlands are protected from illegal activities such as unauthorized filling and dredging. Wetlands are critical to protecting our nation's land, as they prevent flooding by acting as giant, natural "sponges" that absorb damaging floodwaters. #EPAat50

November 17, 2020 For an example of a Region 3 Superfund Site website: <https://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0300517> Using EPA's Lean Management System to promote continuous improvement, @EPAregion3 Community Involvement Coordinators work hard to ensure current and important information is updated on Superfund Site websites to keep communities and other stakeholders up to date. Learn more about ELMS: include press release link here #EPAat50

November 18, 2020 #ISO a product that can kill the #coronavirus? Follow three simple steps: Step 1: Go to List N (www.epa.gov/ListNTool) Step 2: Type first two parts of the EPA registration number, Step 3: If product is on the list, @EPA expects it to kill the coronavirus SARS-CoV-2. Remember to follow usage directions! @CDCgov #covid19

November 19, 2020 #DYK @EPAregion3 partners with @CBP to ensure imported products abide by federal regulations to ensure public safety. #EPAat50

November 20, 2020 @EPARegion 3 protects the environment & public health by ensuring compliance with environmental laws, protecting the drinking water for over 16,700 people in the Mid-Atlantic region this year alone #EPAat50

November 23, 2020 #DYK @EPA researchers maintain a list of disinfectant products that meet federal requirements for use against the virus that causes #COVID19, and EPA scientists work to make sure ineffective products are not sold to the public. To learn more, visit www.epa.gov/ListNTool #EPAat50

November 24, 2020 @EPARegion3 protects the environment & public health by ensuring compliance with environmental laws, resulting in 29 wetland acres restored and over 5,700 feet of streams protected throughout the Mid-Atlantic region this year #EPAat50

November 25, 2020 When in doubt, check @EPA's List N to find products that help stop the spread of #COVID19: www.epa.gov/ListNTool @CDCgov #coronavirus

November 27, 2020 Enforcement - Results

November 30, 2020 Have a product that you feel can fight the spread of #COVID19? Click here to learn how to get your disinfectant registered on @EPA's List N: <https://www.epa.gov/coronavirus/what-process-epa-approval-disinfectant-products-related-covid-19> @CDCgov #coronavirus

- 50th Anniversary posts: November: Enforcement
- Tweetables: R3 Workforce Continuing to Fulfill EPA's Mission (amplify success stories w/additional posts, #DYK series, etc.)
- R3 Success Stories

Laboratory Services & Applied Science Division

Salients:

Region 3 Laboratory Undergoes External Audit- Region 3 Laboratory (R3 Lab) was assessed by A2LA Accreditation Body from October 26, 2020 thru October 28, 2020. This annual assessment is to continue the R3 Lab's accreditation to ensure laboratory competency. For the renewal of accreditation the R3 Lab was assessed against ISO/IEC 17025-2017 standard, TNI 2016 standard, and Forensic Amplification to all accredited parameters. The Forensics Amplification is a new area of accreditation for the laboratory and will increase the laboratory's defensibility of results for enforcement samples. ISO/TNI Accreditation also includes Drinking Water Certification. Final notification of R3 Lab's accreditation status will be made after A2LA Accreditation Board completes review of assessment outcomes, which is expected by end of December. (**Contacts:** Dorina Alliu 410 305-2601 or Pepa Sassin 410 305-3021)

LSASD Directors Semi-Annual Meeting – On November 3rd and November 4th, LSASD Directors held two virtual sessions with all ten LSAS Divisions and ORD. Presentations and discussions covered the Common and Regional Capabilities Workgroup efforts, products from the Capital Equipment Workgroup, updates on the Lab Equipment Dashboard, and brainstorming sessions on LSASD FY21 priorities and planning efforts to assist in the development of the LSASD/ORD National Program Management (NPM) Strategic Plan (**Contact:** David Campbell 215-814-2196)

Events:

11/12 Tier 1 Quality System Awareness Training for ECAD (Kia Long)
11/16-11/17 Chesapeake Bay Program Habitat Goal Team Fall Meeting with Field Services Branch
Presentation on eDNA (Bill Jenkins/Jen Fulton)
11/17 Regional Science Council Presents: *Your Health in a Changing Climate*
11/18 Tier I Quality System Awareness Training for LSASD (Kia Long)
11/18 West Liberty Seminar Panel (FSB)

Enforcement and Compliance Assurance Division Salients

Region 3 issues Notice of Refusal of Admission for import of unregistered pesticide by Huntsman International (PA) - On October 22, Region 3 issued a Notice of Refusal of Admissions to the U.S. Customs and Border Protection to refuse admission of an unregistered pesticide imported by Huntsman International, LLC through the Philadelphia International Airport. The shipment contained a product called "Phone Sanitizer & Screen Cleaner" which was not registered. The importer confirmed it had been sent to them as part of an unrequested gift. Sale and distribution of an unregistered pesticide is a violation of FIFRA. The importer has the option to remove the product from the shipment and either destroy it according to federal and local regulations, or to export it to the country of origin; and must demonstrate the product was either destroyed or exported. (H. Raguza 215-814-2170)

Region 3 issues Notice of Refusal of Admission for import of unregistered pesticide by UPS Supply Chain Solns (PA) - On November 4, Region 3 issued a Notice of Refusal of Admissions to the U.S. Customs and Border Protection to refuse admission of a misbranded pesticide imported by UPS Supply Chain Solutions through the UPS Hub at the Port of Philadelphia. The shipment contained a disinfectant called "Vital Oxide RTU" which had a label that was missing information required under FIFRA. Sale and distribution of a misbranded pesticide is a violation of FIFRA. The importer has the option to remove the product from the shipment and either destroy it according to federal and local regulations, or to export it to the country of origin; and must demonstrate the product was either destroyed or exported. (H. Raguza 215-814-2170)

Region 3 issues warning letter to Precise Machine & Fabrication for potential hazardous waste violations (VA) - On October 28, Region 3 issued a Warning Letter to Precise Machine & Fabrication, of Chesapeake, VA, for potential violations of the RCRA regulations, identified during a September 2019 EPA compliance

evaluation inspection. Precise Machine is a machine shop that manufactures custom parts and components for other manufacturing facilities. The potential violations include: failure to manage universal waste, failure to make a hazardous waste determination, failure to conduct weekly inspections of hazardous waste accumulation area, failure to submit Land Disposal Restriction Forms with hazardous waste manifest, and storing hazardous waste on site for more than 270 days without a permit. Region 3 notified VADEQ of both inspection and letter; the letter requests a response within 30 days. (J. Dearden 215-814-5351)

Region 3 issues Warning Letter to GEA Process Engineering, Inc. for potential hazardous waste violations (MD) - On October 29, Region 3 issued a Warning Letter to GEA Process Engineering, Inc., of Columbia, MD, for potential violations of the RCRA C regulations, identified during a September 2019 EPA compliance evaluation inspection. GEA manufactures food, beverage, and pharmaceutical process equipment. The potential violations include accumulating hazardous waste in excess of 180 days, failure to make a hazardous waste determination, failure to label containers of hazardous waste with the words “Hazardous Waste,” and failure to properly manage Universal Waste lamps and batteries. Region 3 notified MDE of the inspection and letter. The letter requests a response within 30 days. (E. Greenwood 215-814-2057)

Region 3 issues multimedia information request letter to Hazleton Oil & Environmental (PA) - On November 3, Region 3 issued a Multimedia Information Request Letter to Hazleton Oil and Environmental, Inc. (HO&E) of Hazleton, PA. The IRL was sent in response to concerns identified during a hazardous waste compliance evaluation inspection and a subsequent letter. HO&E collects and manages waste oil and antifreeze, provides a parts washing solvent service, and is a transporter/transfer facility of hazardous waste. The requested information will aid EPA in determining compliance with the requirements of RCRA Subtitle C, RCRA Subtitle I, CWA-NPDES, CWA-SPCC, and CAA. The Facility has 30 days to respond. Region 3 notified PADEP regarding this action and no objections were raised. (R. Simkins 215-814-3277, R. Serfass 215-814-2047, M. Owens Powell 815-214-3384, S. Mcaleer 815-214-5616, E. Malone 815-214-2190)

Calendar Events

- Nov 10-12 MS4 Training for PADEP NPDES Inspectors – Virtually from Philadelphia, PA**
Region 3 will provide MS4 inspector training for PADEP NPDES inspectors.
C. Schadel 214-814-5761
- Nov 16 & 17 NPDES States Meeting, Virtually from Philadelphia, PA**
Meeting will provide an opportunity for Region 3 states to discuss NPDES compliance issues, challenges, and successes with EPA.
K. McLaughlin 215-814-2393
- Nov 16 & 17 Biannual FIFRA Meeting, Virtually hosted by VA**
Management and staff will participate in the Region Pre-SFIREG (State FIFRA Issues Research and Evaluation Group) meeting remotely. The agenda includes 2021 FIFRA training, Off-site Compliance Monitoring, paraquat and dicamba pesticide issues, and highlights about events and happenings in each state.
A. Dickens, 215-814-2080)
- Nov 17-19 Basic Inspector Training, Virtually from Philadelphia, PA**
Region 3 ECAD-led training for state, local and federal inspectors with 3 or less years of inspection experience throughout the region.
G. Connor 215-814-2642
- Dec 2-3 Ask the Inspector Workshop, Virtually from Fort Meade, MD**
Compliance training to DoD and Civilian Federal agencies on typical problems observed during our inspections at federal facilities.
A. Seligman 215-814-2097

Dec 9

This is ECAD: Boots on the Ground, Virtually from Philadelphia, PA

In celebration of EPA's 50th anniversary, ECAD will hold a virtual event called *This is ECAD: Boots on the Ground*, where R3 employees will be invited learn about R3 enforcement work, through story-telling in a dynamic, moderated panel format.
L. Kim 215-814-3117; K. Feil 215-814-2126 and G. Connor 215-814-3209

Jan 26, 2021

Judgment Sampling 101 for Inspectors, Virtually from Philadelphia, PA

Inspectors will be introduced to different scenarios to learn about the importance of representative sampling; practice sampling techniques; learn about safety precautions, and much more.

M. Eller 215-814-5427

******End of Salients*